

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Magnum Hunter Resources,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Eagle Operating, Inc.,)	
)	Case No. 4:10-cv-030
Defendant.)	

A court trial is presently scheduled in the above-entitled action on October 31, 2011, at 9:00 a.m. in Minot, North Dakota. On November 30, 2010, plaintiff filed a Motion Requesting Trial by Jury. In their supporting brief they indicated that the parties have stipulated to have this case heard by a jury. Accordingly, the court **GRANTS** plaintiff's motion (Docket No. 46). This matter be rescheduled for a jury trial of any and all issues triable of right by a jury.

IT IS SO ORDERED.

Dated this 22nd day of December, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge